REMARKS

In view of the following remarks, Applicants request favorable reconsideration and allowance of the above-identified application.

Claims 1 and 3-14 remain pending in this application. Claims 7-12 have been withdrawn from consideration. Of the claims still under consideration, Claims 1 and 14 are independent.

Applicants note that the election of species requirement has been made final. Nevertheless, Applicants submit that the requirement is not proper and, at the very least, should be redefined.

The Examiner classifies the present invention into Species I, direct to charged particles having an adhesive layer (Figures 1, 3A-5 and 9-13), and Species II, directed to electrodes having an adhesive layer (Figures 2, 6 and 14). However, Applicants note that the first embodiment set forth in the specification is described with reference to Figures 1, 2, 3A-3C, 4 and 6. In that embodiment, "at least one of the fixing surfaces and the colored charged particles is provided with an adhesive layer" (page 7, lines 17-19). The second embodiment is described with reference to Figures 9 and 11A-14. As described in that embodiment, "the fixing surfaces are provided with a charged film having a constant surface charge of a polarity opposite to that of the colored charged particles" (page 19, line 26, through page 17, line 2). Accordingly, Applicants submit that if the election of species requirement is maintained, it should be classified as follows: Species I - directed to Embodiment 1 and Examples 1, 2 and 3, wherein the adhesive layer is provided on the fixing surfaces or the surfaces of the charged particles; and Species II - directed to

Embodiment 2 and Examples 4, 5 and 6, wherein a charged film of a polarity opposite to that of the charged particles is provided on the fixing surfaces.

Claims 1, 3, 5, 13 and 14 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,241,921 (Jacobson, et al.) in view of U.S. Patent No. 5,652,079 (Mochizuki, et al.). Claims 4 and 6 stand rejected under 35 U.S.C. § 103 as being unpatentable over Jacobson, et al. in view of Mochizuki, et al. and U.S. Patent No. 6,172,798 (Albert, et al.).

As recited in independent Claims 1 and 14, Applicants invention is directed to an electrophoretic display device of a cell structure. An electrophoretic layer is disposed in the cell and includes an insulating liquid and charged particles disposed in the electrophoretic layer. The charged particles have a surface adhesive layer which comprises a polymer having a glass transition temperature (Tg) of -35°C to +35°C.

Further, independent Claim 1 recites that the surface adhesive layer allows for repetitive attachment onto and separation from fixing surfaces associated with one of at least two electrodes.

Thus configured, the invention uses wet-system charged particles, and the polymer of the surface adhesive layer has a specific Tg. In addition, with respect to Claim 1, the surface adhesive layer allows for repetitive attachment onto and separation from fixing surfaces.

The Jacobson, et al. patent describes an electrophoretic display device in which pigment particles are coated with a polymer film. Applicants submit that that patent does not describe the specific Tg of the present invention. Also, the polymer film

described in the Jacobson, et al. patent does not exhibit adhesive properties. Instead, after being coated with the polymer film, the pigment particles are encapsulated and the polymer coating is melted. Thus, Applicants submit that the polymer-coated particles described in that patent would not exhibit the function of repetitive attachment onto and separation from fixing surfaces.

The Mochizuki, et al. patent is directed to a dry two-component developer using charged particles and a carrier for carrying the charged particles. Applicants, however, submit that the carrier is electrically charged in the dry developing scheme, but is not moved under application of an electrical field. Further, the charged particles held by the carrier are not dispersed in a liquid or coated with a polymer film. Thus, those particles are different from the wet-system charged particles of the present invention. Also, Applicants submit that the Mochizuki,e t al. patent does not describe that the charged particles undergo repetitive attachment onto and separation from fixing surfaces.

The Albert, et al. patent is directed to an electrophoretic display. The Office Action cites this patent as describing an insulating liquid with a volumetric resistivity of about 10^{15} ohm.cm. Applicants submit that this document fails to remedy the deficiencies discussed above with respect to the Jacobson, et al. and Mochizuki, et al. patents.

Accordingly, Applicants submit that the Jacobson, et al., Mochizuki, et al. and Albert, et al. patents, taken alone or in combination, fail to disclose or suggest at least the features of an electrophoretic layer disposed in a cell and comprising an insulating liquid and charged particles disposed in the electrophoretic layer, wherein the charged particles have a surface adhesive layer, and the surface adhesive layer comprises a polymer

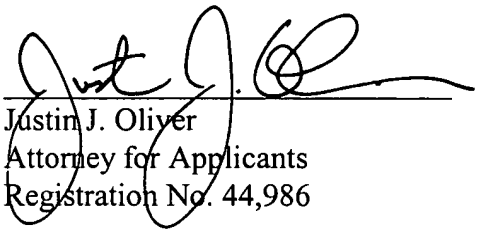
having a glass transition temperature (Tg) of -35°C to +35°C, as generally recited in independent Claims 1 and 14. In addition, Applicants submit that those documents, taken alone or in combination, fail to disclose the above-discussed features of Claims 1 and 14 in combination with an adhesive layer allowing for repetitive attachment onto and separation from fixing surfaces, as recited in independent Claim 1.

For the foregoing reasons, Applicants submit that independent claims are distinguishable over the applied documents, whether those documents are taken alone or in combination, and request withdrawal of the rejections under §103.

The remaining claims in the present application still under consideration are dependent claims which depend from the independent claims discussed above, and thus are patentable over the documents of record for reasons noted above with respect to those independent claims. In addition, each recites features of the invention still further distinguishing it from the applied documents. Applicants request favorable and independent consideration thereof.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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